

01  
02  
03  
04  
05  
06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. MJ 11-492  
10 v. )  
11 OCTAVIANO RAMOS-BARRETO, ) DETENTION ORDER  
12 Defendant. )  
13 \_\_\_\_\_ )

14 Offense charged: Possession of Methamphetamine with Intent to Distribute; Conspiracy to  
15 Distribute Methamphetamine; Possession of a Firearm in Furtherance of a Drug Trafficking  
16 Crime

17 Date of Detention Hearing: October 13, 2011.

18 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
19 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
20 that no condition or combination of conditions which defendant can meet will reasonably  
21 assure the appearance of defendant as required and the safety of other persons and the  
22 community.

01            FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02            1.        Defendant is reportedly a citizen of Mexico.

03            2.        The United States alleges that his presence in this country is illegal.    There is an  
04 immigration detainer pending against him.    The issue of detention in this case is therefore  
05 essentially moot, as the defendant would be released to immigration custody if not detained in  
06 this case.

07            3.        Defendant and his counsel offer no opposition to entry of an order of detention.

08            4.        Upon advice of counsel, defendant declined to be interviewed by Pretrial  
09 Services.    Therefore, there is limited information available about him.

10           5.        There does not appear to be any condition or combination of conditions that will  
11 reasonably assure the defendant's appearance at future Court hearings while addressing the  
12 danger to other persons or the community.

13    It is therefore ORDERED:

14           1.    Defendant shall be detained pending trial and committed to the custody of the Attorney  
15           General for confinement in a correction facility separate, to the extent practicable, from  
16           persons awaiting or serving sentences or being held in custody pending appeal;

17           2.    Defendant shall be afforded reasonable opportunity for private consultation with  
18           counsel;

19           3.    On order of the United States or on request of an attorney for the Government, the  
20           person in charge of the corrections facility in which defendant is confined shall deliver  
21           the defendant to a United States Marshal for the pupose of an appearance in connection  
22           with a court proceeding; and

01 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
02 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
03 Officer.

04 DATED this 13th day of October, 2011.

05  
06 

07 Mary Alice Theiler  
08 United States Magistrate Judge  
09  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22